



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF BUSINESS STUDIES

CERTIFICATE IN HUMAN RESOURCE MANAGEMENT
CERTIFICATE IN BUSINESS MANAGEMENT
CERTIFICATE IN STORES MANAGEMENT

BMG 1101: ELEMENTS OF LAW

SPECIAL/SUPPLEMENTARY EXAMINATIONS

SERIES: FEBRUARY 2015

TIME: 2 HOURS

INSTRUCTIONS:

- This paper consists of **FIVE** questions.
- Answer question **ONE (Compulsory)** and any other **TWO** questions.

This paper consists of Two printed pages.

QUESTION 1 (Compulsory)

- a) i) Distinguish between formal law and informal law. (4 marks)
ii) Give **ONE** example for each of the following: (2 marks)
a) Principal sources of law
b) Subsidiary sources of law
- iii) Outline the main features of a corporation aggregate. (6 marks)
- b) i) Differentiate between domicile and residence. (4 marks)
ii) Explain how a person may become a Kenyan citizen by birth. (10 marks)
iii) Identify any **FOUR** grounds on which a Christian marriage may be dissolved. (4 marks)

QUESTION 2

- a) Explain **SIX** functions of law. (12 marks)
- b) Outline the advantages of tribunals. (8 marks)

QUESTION 3

- a) Briefly discuss the case of Foss V Harbottle. (8 marks)
- b) Give **SIX** advantages of a partnership as a form of business organization. (12 marks)

QUESTION 4

- a) Explain the grounds on which citizenship by registration may be revoked. (10 marks)
- b) i) Outline the elements of negligence. (6 marks)
ii) Give **FOUR** general defences against a claim of negligence. (4 marks)

QUESTION 5

- a) i) Define the term 'contract'. (2 marks)
ii) Briefly, explain the rule that was established in the case of Simpson V Tisdele-Jones. (8 marks)
- b) Outline **FIVE** elements of contract. (10 marks)